

JOSEPH H. HUNT  
Assistant Attorney General

DAYLE ELIESON  
United States Attorney  
District of Nevada

TROY K. FLAKE  
Assistant United States Attorney  
501 Las Vegas Boulevard, South, Suite 1100  
Las Vegas, Nevada 89101  
Telephone: 702-388-6336  
E-mail: *troy.flake@usdoj.gov*

RUTH A. HARVEY  
MICHAEL J. QUINN  
JOHN R. KRESSE  
I-HENG HSU  
CATHY J. BURDETTE  
U.S. Department of Justice, Civil Division  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875  
Telephone: (202) 616-2238  
E-mail: *john.kresse@usdoj.gov*

*Attorneys for the United States*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	Case No: 2:17-cv-02303-MMD-PAL
	)	
Plaintiff,	)	
	)	
v.	)	<b>UNITED STATES' MOTION</b>
	)	<b>FOR STAY OF NEAR TERM</b>
COUNTY OF CLARK and	)	<b>CASE DEADLINES IN LIGHT OF</b>
NEVADA LINKS, INC.,	)	<b>LAPSE OF APPROPRIATIONS</b>
	)	
Defendants.	)	

The United States of America hereby moves for a stay of near term case deadlines in the above-captioned case.

1. At the end of the day on December 21, 2018, the appropriations act that had been funding the Department of Justice ("Department") expired, and appropriations to the Department

1 lapsed. The same is true for several other Executive agencies, including the Department of  
2 Interior. The Department does not know when funding will be restored by Congress.

3         2. Absent an appropriation, attorneys and employees of the Department of Justice  
4 and the Department of Interior, including all contractors, consultants, and experts, are prohibited  
5 from working, even on a voluntary basis, except in very limited circumstances, including  
6 “emergencies involving the safety of human life or the protection of property.” 31 U.S.C.  
7 § 1342.  
8

9         3. The current schedule entered by this Court on October 19, 2018, specifies the  
10 completion of expert discovery by January 31, 2019. The first expert deposition is scheduled for  
11 January 15. The schedule also specifies that dispositive motions must be filed by March 8, 2019.  
12

13         4. Undersigned counsel for the Department of Justice therefore requests a stay of  
14 expert discovery, dispositive motion, and pretrial order deadlines, until the first business day that  
15 Congress has restored appropriations to the Department of Justice and the Department of  
16 Interior.

17         5. Opposing counsel has authorized counsel for the Government to state that they  
18 have no objection to this motion.

19         6. If this motion for a stay is granted, within five business days of Congress  
20 appropriating funds for the Department of Justice and the Department of Interior, the parties will  
21 jointly propose amended deadlines, commensurate with the length of the lapse in funding, for the  
22 expert discovery, dispositive motions, and pretrial order.  
23

24         6. Therefore, although we greatly regret any disruption caused to the Court and the  
25 other litigants, the Government hereby moves for a stay of all expert discovery and dispositive  
26 motion, and pretrial order deadlines for the parties in this case until attorneys and other  
27 employees of the Department of Justice and the Department of Interior, including all  
28

1 contractors, consultants, and experts, are permitted to resume their usual civil litigation  
2 functions.

3  
4 Dated: December 31, 2018

JOSEPH H. HUNT  
Assistant Attorney General

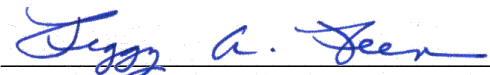
DAYLE ELIESON  
United States Attorney

TROY K. FLAKE  
Assistant United States Attorney

/s/ Cathy J. Burdette  
RUTH A. HARVEY  
MICHAEL J. QUINN  
JOHN R. KRESSE  
I-HENG HSU  
CATHY J. BURDETTE

*Attorneys for the United States*

14 IT IS SO ORDERED:

15   
16 \_\_\_\_\_  
PEGGY A. LEEN  
17 UNITED STATES MAGISTRATE JUDGE

18 DATED: JANUARY 4, 2019  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28